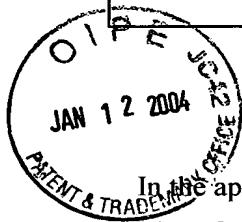


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on January 8, 2004.

Theodore P. Cummings, Esq. 40,973
 Name of Attorney Registration No.
 Signature of Attorney

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P&G Case 8363M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

Mary Carmen Gasco, et al.

Serial No. 10/010,818

Filed December 6, 2001

For A SHAPED CONTAINER BOTTOM

NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

RECEIVED

JAN 15 2004

TECHNOLOGY CENTER R3700

Dear Sir:

Applicant hereby appeals under 37 CFR 1.191(a) to the Board of Appeals and Interferences from the last decision of the Examiner dated November 18, 2002 finally rejecting Claims 1 and 3 - 20. The fee for this Notice of Appeal is \$330.00 (37 CFR 1.17(b)).

A timely response to the final rejection has been filed.

The Director is hereby authorized to charge the above fees, or any additional fees that may be required, or credit any overpayment to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. An additional copy of this Notice is enclosed for that purpose.

Respectfully submitted,

By

Theodore P. Cummings, Esq.
 Attorney or Agent for Applicant(s)
 Registration No. 40,973
 (513) 634-1906

Date: January 8, 2004

Customer No. 27752
 (appnot.doc) (Last Revised 10/10/2003)

01/13/2004 EFLDRES 00000147 162480 10010818

01 FC:1401 330.00 DA

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT (\$330.00)

Complete if Known

Application Number 10/010,818

Confirmation Number 7279

Filing Date December 6, 2001

First Named Inventor Mary Carmen Gasco, et al

Examiner Name S.J. Castellano

Art Unit 3727

Attorney Docket No. 8363M

TECHNOLOGY CENTER R3700
JAN 15 2004

RECEIVED

METHOD OF PAYMENT

FEE CALCULATION (continued)

1. [X] The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to:

Deposit Account Number: 16-2480

Deposit Account Name: The Procter & Gamble Company

FEE CALCULATION

1. BASIC FILING FEE – Large Entity

Code	(\$)	Fee Description	Fee Paid
1001	770	Utility filing fee	<input type="checkbox"/>
1002	340	Design filing fee	<input type="checkbox"/>
1004	770	Reissue filing fee	<input type="checkbox"/>
1005	160	Provisional filing fee	<input type="checkbox"/>

SUBTOTAL (1) (\$11)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE – Large Entity

	Extra Claims	Fee from Below	Fee Paid
Total Claims	<input type="checkbox"/> - 20** =	<input type="checkbox"/> x <input type="checkbox"/> = <input type="checkbox"/>	
Independent Claims	<input type="checkbox"/> - 3** =	<input type="checkbox"/> x <input type="checkbox"/> = <input type="checkbox"/>	
Multiple Dependent		<input type="checkbox"/> = <input type="checkbox"/>	

** or number previously paid, if greater; For Reissues, see below

Code (\$)

Fee Description

1202	18	Claims in excess of 20
1201	86	Independent claims in excess of 3
1203	290	Multiple dependent claim, if not paid
1204	86	**Reissue independent claims over original patent
1205	18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$11)

3. ADDITIONAL FEES

Code	(\$)	Fee Description	Fee Paid
1051	130	Surcharge-late filing fee or oath	<input type="checkbox"/>
1052	50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
1053	130	Non-English specification	<input type="checkbox"/>
1812	2,520	For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>
1804	920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
1805	1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
1251	110	Extension for reply within 1 st month	<input type="checkbox"/>
1252	420	Extension for reply within 2 nd month	<input type="checkbox"/>
1253	950	Extension for reply within 3 rd month	<input type="checkbox"/>
1254	1,480	Extension for reply within 4 th month	<input type="checkbox"/>
1255	2,010	Extension for reply within 5 th month	<input type="checkbox"/>
1401	330	Notice of Appeal	<input checked="" type="checkbox"/>
1402	330	Filing a brief in support of an appeal	<input type="checkbox"/>
1403	290	Request for oral hearing	<input type="checkbox"/>
1451	1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
1452	110	Petition to revive - unavoidable	<input type="checkbox"/>
1453	1,330	Petition to revive - unintentional	<input type="checkbox"/>
1501	1,330	Utility issue fee (or reissue)	<input type="checkbox"/>
1502	480	Design issue fee	<input type="checkbox"/>
1460	130	Petitions to the Commissioner	<input type="checkbox"/>
1807	50	Processing fee under 37 C.F.R. 1.17(q)	<input type="checkbox"/>
1806	180	Submission of Information Disclosure Statement	<input type="checkbox"/>
1809	770	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
1810	770	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
1801	770	Request for Continued Examination (RCE)	<input type="checkbox"/>
1802	900	Request for expedited examination of a design application	<input type="checkbox"/>
1454	1330	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>
Other fee (specify) _____ <input type="checkbox"/>			
Other fee (specify) _____ <input type="checkbox"/>			

* Reduced by Basic Filing Fee Paid

SUBTOTAL(3) (\$130)

SUBMITTED BY

Name (Print/Type) **Theodore P. Cummings**Registration No.
(Attorney/Agent)**40,973**

Complete (if applicable)

Telephone (513) 634-1906

Signature

Date 1/8/2004

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.